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| APPLICATION NO. | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO. | CONFIRMATION NO. |
|---|-------------|----------------------|---------------------|------------------|
| 10/773,767 | 02/06/2004 | Jacob W. Mandema | 021720-001310US | 5592 |
| 20350 | 7590 | 08/28/2006 | EXAMINER | |
| TOWNSEND AND TOWNSEND AND CREW, LLP TWO EMBARCADERO CENTER EIGHTH FLOOR SAN FRANCISCO, CA 94111-3834 | | | MILLER, MARINA I | |
| | | | ART UNIT | PAPER NUMBER |
| | | | 1631 | |

DATE MAILED: 08/28/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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| APPLICATION NO./ CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION | ATTORNEY DOCKET NO. |
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| EXAMINER |
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| ART UNIT | PAPER |
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DATE MAILED:

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Commissioner for Patents

The reply filed on 6/1/2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): the pending claims are not properly numbered and have improper status identifiers. In particular, applicants cancelled claims 1-28 and presented new claims 29-49 in the response filed 11/21/2005. However, new claims 29-49 are directed to a non-elected invention, as set forth in the Notice of Nonresponsive amendment mailed 2/9/06. In the amendment filed 6/12/2006, claims 1-28 are again presented. Applicants are reminded that under 37 CFR 1.121, cancelled claims may not be reinstated. However, the subject matter of cancelled claims may be recaptured under new claim numbers. In this case, new claim numbers should begin with claim 50 and the claims should be identified as "new." 37 CFR 1.121 (c)(5).

With respect to claims 29-49, filed 11/21/2005, applicants are reminded that any amendment filed in response to a non-final office action is entered, even if the amendment is deemed nonresponsive. The amendment filed 6/1/2006 does not identify claims 29-49 as cancelled. Therefore, claims 1-28 should be listed as "cancelled", and claims 29-49 should be identified as "new". In the next submission, if claims 29-49 are still pending, they should be listed as "previously presented;" if claims 29-49 are cancelled, they should be listed as "cancelled."

See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Marina Miller whose telephone number is (571)272-6101. The examiner can normally be reached on 8-6, M-Thu.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Andrew Wang, Ph. D. can be reached on (571)272-0811. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

**MARJORIE A. MORAN
PRIMARY EXAMINER***Marjorie A. Moran*
8/21/06